



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,414	10/12/2000	Howard J. Glaser	STL920000091US1	1232

24852 7590 04/16/2004

INTERNATIONAL BUSINESS MACHINES CORP
IP LAW
555 BAILEY AVENUE , J46/G4
SAN JOSE, CA 95141

EXAMINER

GROSS, KENNETH A

ART UNIT	PAPER NUMBER
----------	--------------

2122

DATE MAILED: 04/16/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

4

Office Action Summary

Application No.

09/687,414

Applicant(s)

GLASER ET AL.

Examiner

Kenneth A Gross

Art Unit

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-13, and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1,3-7, 9-13, and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the amendment filed on February 2nd, 2004.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1, 4, 5, 7, 10, 13, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenner et al. (U.S. Patent Number 6,314,565) in view of Stedman et al. (U.S. Patent Number 6,262,726) and further in view of Hsu (U.S. Patent Number 5,894,515).

In regard to Claim 1, Kenner teaches: (a) defining and storing a configuration of the application program (Column 7, lines 5-12 and lines 17-32); (b) initiating a connection between the local and remote data processing systems in response to a particular user request (Column 9, lines 39-53); (c) downloading data from the remote to the local data processing system according to a stored configuration (Column 8, lines 18-29). Kenner does not teach that the configuration of the application program is a user configuration nor does he teach authenticating a particular user in response to a user request for the program. Stedman, however, does teach storing user configurations of an operating system for the purposes of application customization (Column 6, lines 58-62), and further teaches authenticating a particular user when the particular user attempts to initialize the operating system (Column 6, lines 55-58). Neither Kenner nor Stedman

Art Unit: 2122

teach encrypting and storing the configuration in a manifest file nor do either teach decrypting the configuration in response to user authentication. Hsu, however, does teach encrypting data, authorizing a user, and in response to authorizing a user, decrypting the data (Column 1, lines 13-21). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to define and store a client configuration, connect to the client and download data to the client corresponding to the configuration as taught by Kenner, where the user is authenticated before data can be downloaded and the configuration is specific to the user, as taught by Stedman, and the configuration is encrypted and decrypted in response to user authentication as taught by Hsu, since this protects the configuration from being view from unauthorized users.

Claims 7 and 13 are method and system Claims that correspond to the article of manufacture Claim 1, and Claims 7 and 13 are rejected for the same reasons as Claim 1, where Kenner teaches a method (Figure 2) and system (Figure 1) for article of manufacture Claim 1.

In regard to Claim 4, Kenner teaches building the application program according to a configuration (Column 8, lines 30-41).

Claims 10 and 16 are method and system Claims that correspond to the article of manufacture Claim 4, and Claims 10 and 16 are rejected for the same reasons as Claim 4, where Kenner teaches a method (Figure 2) and system (Figure 1) for article of manufacture Claim 4.

For specific rejections of Claims 5, 11, and 17, see the office action mailed on October 28th, 2003.

3. Claims 3, 6, 9, 12, 15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kenner (U.S. Patent Number 6,314,565) in view of Stedman et al. (U.S. Patent Number

6,262,726) and further in view of Hsu (U.S. Patent Number 5,894,515) and Hayes, Jr. (U.S. Patent Number 6,205,476).

For specific rejections of Claims 3, 6, 9, 12, 15, and 18, see the office action mailed on October 28th, 2003 (Note: Claims 3, 9, and 15 have been amended to overcome certain 112 2nd paragraph and dependency issues, and the scope of the claims has not been changed).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth A Gross whose telephone number is (703) 305-0542. The examiner can normally be reached on Mon-Fri 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KAG



**ANTONY NGUYEN-BA
PRIMARY EXAMINER**

Application/Control Number: 09/687,414
Art Unit: 2122

Page 5